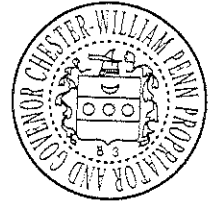


THE COUNTY OF CHESTER



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June 16, 2008

RECEIVED
JUN 18 2008
BY: [Signature]

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St. NE Room A1
Washington, DC 20426

Re: Docket CP07-62-000; CP07-63-000; CP07-64-000; CP07-65-000
Sparrows Point LNG Terminal and Pipeline Project, Draft Environmental Impact Statement

Dear Ms. Bose,

The Chester County Planning Commission has reviewed the Draft Environmental Impact Statement for the Sparrows Point/Mid-Atlantic Express Pipeline project, issued by the US Federal Energy Regulatory Commission (FERC). This project would include the construction of a ship unloading facility with two berths to receive Liquefied Natural Gas (LNG) ships, three full-containment storage tanks, a closed-loop shell and tube heat exchanger vaporization system; ancillary facilities; meter and regulation stations; dredging of the Patapsco River 45-feet below low water levels; and approximately 88 miles of 30-inch diameter natural gas pipeline, approximately 32 miles of which will occur within Chester County. Portions of the proposed pipeline would be located "within or adjacent to various existing rights-of-way" (Draft EIS page 4-167).

The proposed project will affect over 400 parcels in the following Chester County municipalities: Lower Oxford, Upper Oxford, Londonderry, Highland, West Marlborough, Newlin, East Fallowfield, West Bradford, East Brandywine, Caln, Uwchlan, Upper Uwchlan, and West Vincent Townships, as well as Downingtown Borough.

The following comments are offered based on review of the Environmental Impact Statement and how they directly impact and affect Chester County, Pennsylvania:

A. Consistency with the County Policy Plan – *Landscapes*:

Landscapes, 1996, is the adopted Comprehensive Policy Plan for Chester County. *Landscapes* identifies four general land patterns, or Landscapes, of future development in the County – Urban, Suburban, Rural and Natural. We find the areas to be affected by the construction of the proposed Sparrows Point/Mid-Atlantic Express pipeline to be generally inconsistent with the Livable Landscapes Map. While a portion of the proposed Sparrows Point/Mid-Atlantic Express Project is located within an area primarily defined as a Suburban and Urban Landscapes, the large majority of the proposed project area occurs within the Rural Landscape and Natural Features Overlay. The Suburban and Urban Landscapes promote mixed land uses and increased densities and encourages the provision of the infrastructure necessary to enable this type of development to

occur. However, the Rural Landscape and Natural Feature Overlay, support only limited types development and promotes agricultural land and open space preservation. The objective of the Rural Landscape is to preserve the open, rural character of Chester County, supporting agriculture as the primary land use while enhancing villages to accommodate future development. The objective of the Natural Feature Overlay is to promote open space, in areas with significant natural resources, including stream corridors, woodlands, wetlands, ground water recharge areas, steep slopes, and ridge tops. Without proper mitigation techniques to lessen the impact of the pipeline activity, the project would not be consistent with either the Rural Landscape or the Natural Landscape. The overall area of the proposed Sparrows Point/Mid-Atlantic Express Project is not consistent with many of the policies of *Landscapes*, as outlined in Section C “General Comments.”

- B. The primary concerns of the Chester County Planning Commission (CCPC) are regarding statements in the Environmental Impact Statement relating to “temporary and/or long-term impacts” to agricultural lands, eased and conserved lands, county-owned park lands and trails, municipal park lands and trails, waterbodies, including clearing and grading of stream banks, in-stream trenching, trench dewatering, and backfilling that could result in increased sedimentation and turbidity and decreased dissolved oxygen concentrations all of which could impact water quality. These impacts, when combined with earth moving and earth disturbance, as well as tree removal and stream diverting, may cause serious long term impacts to the municipalities and the county facilities located in the project area.

While the large majority of proposed project area in Chester County is designated as Rural and Natural, the Suburban/Urban portions of Chester County, parts of which parallel the proposed Williams/Transco replacement project FERC Docket #CP08-31-000, is heavily developed, experiences flooding on a regular basis, has aging infrastructure systems, private wells, as well as other natural resources that could be negatively impacted by the construction of the Sparrows Point/Mid-Atlantic pipeline, as currently proposed. The CCPC requests any supporting information and timeline explaining how Sparrows Point/Mid-Atlantic Express will remediate impacts if trees are to be cleared, habitats lost, water temperatures increased, nutrient pollutants discharged, and chemical contaminants discharged. With the evolution of the Environmental Protection Agency’s TMDL program that PA DEP implements and enforces, many of these “short term” impacts stand to affect municipalities for a much longer period of time and at a financial and staff burden to mitigate problems ultimately initiated by Sparrows Point/Mid-Atlantic Express than expressed in the Draft EIS.

The potential impacts and general location, as noted above, are inconsistent with the following Policies of *Landscapes*:

Land Use Policies:

- Policy 1.1.9 Protect and restore urban historic and natural resources;
- Policy 1.2.5 Develop a permanent open space system linking existing areas and adding new areas;
- Policy 1.3.1 Encourage agricultural preservation, with priority given to areas with prime agricultural soils and Agricultural Security Areas;
- Policy 1.3.4 Limit economic development efforts to agriculturally related activities and other businesses which are compatible with the rural environment;
- Policy 1.4.1 Create an open space network of natural resources for the many environmental benefits it provides;
- Policy 1.4.2 Encourage municipal programs for natural resource preservation throughout Chester County;

- Policy 1.4.3 Encourage cooperation among conservation groups, municipalities and the County to protect natural features;
- Policy 1.4.4 Protect stream headwater areas from intensive development to preserve surface water quality and quantity.

Natural Resources Policies:

- Policy 2.1.1 Protect a safe, long-term supply of water which is adequate for all uses;
- Policy 2.1.3 Preserve and enhance the existing network of stream valleys and their aquatic habitat;
- Policy 2.1.4 Prevent development in floodplains to protect public safety and water quality, and reduce public costs from flood damage;
- Policy 2.1.5 Preserve wetlands for their ecological and hydrological functions;
- Policy 2.1.6 Preserve and enhance buffer areas around water bodies to mitigate environmental and visual impacts from adjacent uses and activities;
- Policy 2.1.10 Preserve and manage large woodland areas for their wildlife habitat and scenic values and their contributions to groundwater recharge, improved air quality and erosion control;
- Policy 2.1.11 Preserve and manage habitats necessary for survival of existing rare, threatened, and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County Natural Areas Inventory;
- Policy 2.1.12 Promote soil conservation practices to reduce erosion and sedimentation;
- Policy 2.1.17 Protect existing woodlands and encourage reforestation;
- Policy 2.2.2 Support the protection of designated scenic rivers and designation of additional stream segments.

Scenic Resources Policies:

- Policy 2.2.1 Retain agriculture and villages to preserve the Rural Landscape of the County;
- Policy 2.2.2 Support the protection of designated scenic rivers and designation of additional stream segments;
- Policy 2.2.5 Encourage the design of new development to complement a community's scenic and historic character.

Community Facilities Policy:

- Policy 5.1.1 Promote the protection of natural resources with park land acquisition and stewardship.

Utilities Policy:

- Policy 6.1.4 Ensure the proper operation and maintenance of on-lot sewage disposal systems;
- Policy 6.1.8 Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding, and drainage problems;
- Policy 6.3.1 Support the use of renewable energy resources;
- Policy 6.3.3 Encourage the expansion of energy services which support development consistent with land use plans.

The potential impacts and general location, as noted above, are inconsistent with the following Objectives of *Watersheds*, the Chester County Integrated Water Resources Plan:

Natural Resources Preservation Objectives:

- Objective 3-2 Protect and enhance the natural instream resources of streams, including stable stream channel processes and geomorphology conditions, aquatic living resources, stream baseflows, and water quality;
- Objective 3-4 Protect and enhance streams supporting "sensitive resources" to recognize their vulnerability to low stream flows and water quality impairments;

Objective 3-5 Protect wetlands for their hydrologic and ecological functions, and pursue opportunities to mitigate, restore or create wetlands;

Objective 3-7 Consider the cumulative impacts on and benefits of proposed land development to natural resources and identify alternatives to avoid or mitigate impacts.

Water Quality Objectives:

Objective 4-1 Achieve state designated use water quality standards in all streams

Objective 4-4 Reduce or eliminate movement of sediment from lands into streams to conserve the soil resources and reduce instream siltation and pollutants.

Stormwater Runoff and Flooding Reduction Objective:

Objective 5-1 Achieve post-development hydrologic conditions that are consistent with the natural hydrologic characteristics of the receiving stream system and that sustain and enhance groundwater recharge and ground water balances, stream baseflows, stable stream channel processes, flood carrying capacity, and water quality conditions to meet state standards.

Utility and Municipal Planning Integration Objective:

Objective 7-3 Coordinate planning among municipalities, counties, and utilities using an Integrated Water Resources Planning process to insure consistency of system development and infrastructure expansion with local land use plans, ordinances, and ***Landscapes***.

C. Specific Comments. The following comments address specific points within the Draft EIS:

1. Page ES-4. Executive Summary. The Environmental Impact Statement states that the FERC is recommending that Sparrows Point/Mid-Atlantic Express file site specific plans for those residences whose wells and septic systems fall within 25-feet of the proposed workspace. The Chester County Planning Commission (CCPC) would recommend mapping all residences that are located within 50-feet of the proposed workspace and request any supporting documentation regarding the mitigation of impacts to these residences.
2. Page ES-4. Executive Summary. The Environmental Impact Statement states that visual impacts at riparian zones and forested segments will be minimized. The CCPC concerns lie not only with visual impacts, but with the ecological and hydrological systems that are being affected and negatively impacted by this proposal.
3. Page ES-4. Executive Summary. The Environmental Impact Statement states that the proposed pipeline right-of-way is located in both the Doe Run Village and Kirk's Mill Historic Districts, both recognized on the National Register of Historic Places. The CCPC requests that the applicant explore alternatives to avoid these sensitive historic and cultural sites, in coordination with the Pennsylvania Historic and Museum Commission.
4. Table 1.3-1. Major Permits. The applicant should be aware that some of the consultations, such as with the Department of Conservation of Natural Resources, in reference to the Pennsylvania Natural Diversity Index (PNDI) clearance, may have expirations that may require a re-application.
5. Table 1.3-1. Major Permits. The CCPC requests that the applicant also obtain approvals from the Delaware River Basin Commission, as the project also may affect flows in the Brandywine Creek, for construction and pipeline testing.

6. Page 2-1. Description of the Proposed Action. The text states that there would be interconnections with Columbia Gas Transmission Corporation, Texas Eastern Transmission Corporation and the Transcontinental Gas Pipe Line Corporation. The CCPC requests coordination between the proposed Williams-Transco project that is proposed for a 7.15 mile portion of Chester County, as both hold the potential for serious and negative impacts to residents, habitat, eased lands, and waterbodies, among others.
7. Page 2-9. Description of the Proposed Action. The text states that the pipeline facilities will “generally parallel the existing pipeline corridor for approximately 54 miles,” much of which is located in Chester County. The CCPC requests detailed maps or drawings that properly depict and delineate the overall width of both the existing and the ultimately proposed rights-of way, for clarity and detail.
8. Page 2-13. Table 2.2.2-1. In the Summary of Land Requirements, the text lists that roughly one-third of the proposed land to be affected during construction will ultimately be affected for permanent operation of the pipeline. The CCPC requests any supporting documentation on what standards and criteria for revegetation would be used for the project to ultimately have no impact. The CCPC requests that whenever possible, Sparrows Point/Mid-Atlantic Express work with property owners to revegetate with native species and replant trees where they are removed from areas other than a permanent ROW.
9. Page 2-15. Pipeline Right-of-Way and Additional Temporary Workspace. The CCPC requests that horizontal direction drilling be utilized wherever possible to minimize negative impacts to the waterbodies that are planned to be crossed by this project. Furthermore, we request that stream crossings be coordinated with the Chester County Conservation District (CCCD), the Chester County Water Resources Authority (CCWRA), and the Chester County Parks and Recreation Department (CCPRD).
10. Page 2-31. Description of Proposed Action-Water Crossings. The CCPC requests that the applicant coordinate with CCWRA, CCCD, and CCPRD to explore stream crossing techniques that will require a minimum amount of disturbance to the stream flow and water quality.
11. Page 2-35. Operation and Maintenance Procedures. The CCPC requests that the most recent population estimates and census data be utilized for the areas located along the proposed pipeline corridor, as the air patrolling cannot accurately obtain correct population change information, only changes in land cover. The most recent available information on population change for the municipalities of Chester County can be found at: <http://dsf.chesco.org/planning/lib/planning/pdf/PopGrowth.pdf>
12. Page 2-37. Fire and Hazard Detection System. The CCPC requests that the applicant work in coordination with both municipal emergency responders as well as the Chester County Department of Emergency Services (CCDES), as they may be more readily available to respond to future needs on the proposed site.
13. Page 3-59. Route Variation 9. The CCPC supports the recommendation of the FERC to obtain detailed environmental and engineering information on this Variation to find an alternative that will have fewer negative impacts, than traverse a forested area.

14. Page 3-60. Figure 3.3.3-8 Route Variation 9. The map has two boxes with no text in them; they appear to point to an existing right-of-way. The CCPC requests clarification of this omission.
15. Page 3-61. Route Variation 10. The CCPC supports the recommendation of the FERC to obtain detailed environmental and engineering information on this Variation to find an alternative that will have fewer negative impacts.
16. Page 3-62. Figure 3.3.3-9 Route Variation 10. The map has three boxes with no text in them; they appear to point to existing right-of-ways. The CCPC requests clarification of this omission.
17. Page 3-63. Route Variation 12 and 12b. The CCPC requests that any consultation or suggested route variation information from Upper Uwchlan Township be considered in the location of a route variation.
18. The CCPC requests consistency with mapping throughout the document for clarity, as utilizing out of date USGS topoquads and what appears to be 2005 aeriels is confusing and inconsistent.
19. Page 4-8. Blasting. The CCPC requests that Sparrows Point/Mid-Atlantic Express coordinate with the PADEP to ensure that pre-event permits and inspections of affected homes take place in accordance with state regulations and requirements.
20. Page 4-8. Blasting. The text states that blasting may be required near specific mile posts (70.4-72.1; 74.2-74.3; 82.5-83.1). According to the maps provided in Appendix B, these include areas near Buck and Doe Run and the Brandywine Creek at two separate crossings. The CCPC requests coordination with both the CCCD, the CCWRA, and the CCPRD to ensure that Erosion and Sedimentation measures are being taken, in accordance with Chapter 102, and Best Management Practices, to minimize impacts to the affected waterbodies. Additionally, the CCPC requests coordination with the affected residents and municipalities that may be impacted by any blasting to avoid damages to residences and other property.
21. Page 40-8. Blasting. According to the information provided, blasting may occur along the Brandywine Creek, near the Struble Trail, which is owned by Chester County and operated by the CCPRD. The CCPC requests coordination with the CCPRD to minimize impacts not only to the Brandywine Creek, but also to the trail and those who use it.
22. Page 4-20. Prime Farmland Soils. The CCPC requests supporting documentation and clarification on how the amount of prime farmland that would experience a “temporary impact” would total only 0.3 acres. Based on information from the Chester County Department of Open Space, approximately 22 farms, totaling 1,696 eased acres of preserved farmland, on which the County holds agricultural easements on, to be impacted in some fashion. This information is based on the list of affected landowners (listed in Appendix 1B of the Resource Report #1), overlaid with both the Chester County parcels GIS layer and the Chester County Department of Open Space Agricultural Easement GIS layer. Additionally, where Prime Agricultural Soil is to be disturbed, the CCPC requests coordination with the CCCD, to ensure that impacts to these soils are minimized. As presented, the development of preserved farmland is inconsistent with the following *Landscapes* Policies:

- 2.1.12 “Promote soil conservation practices to reduce erosion and sedimentation”; and
2.1.13 “Preserve and properly manage large areas of prime agricultural soils to support a sustainable food supply.”

23. Page 4-23. Soil Contamination. The CCPC has concerns with a proposed gas pipeline crossing near the Strasburg landfill, due to concerns with changes to the contaminated soil, storage of contaminated soil, and the risk of the shifting of any groundwater contamination plume that might occur, as the text indicates that water testing has shown contamination still exists though remediation construction on the site has been completed. With residents still utilizing private water supply wells in the area, the CCPC requests that the same precautionary measures recommended by the FERC for the 68th Street Dump in Baltimore be explored to guarantee the highest level of public health and safety possible, should this proposed pipeline be constructed.
24. Page 4-26. Table 4.3.1-1 Water Supply Wells located within 150 feet of the Mid-Atlantic Pipeline Route. This table indicates that there are two public water supply wells within 12-feet or less of the proposed route in Chester County. The CCPC requests that the applicant coordinate with the CCWRA and the affected public suppliers, which appear to be Chester Water Authority and Aqua Pennsylvania, to minimize any potential negative impacts to water supply of the residents of Chester County. Regarding the private wells, the CCPC requests supporting information and mitigation plans for these users, should their wells become damaged or destroyed in the development of the proposed pipeline. The CCPC requests any supporting documentation from Sparrows Point/Mid-Atlantic Express regarding steps to protect public health and safety in these areas as they relate to maintaining a safe drinking water supply. The CCPC also requests applicant coordination with the CCHD, CCWRA and PA DEP, to ensure that these wells and public water supplies are not being contaminated. *Landscapes* Policy 6.1.6 states: “Provide a safe, clean, long-term supply of water which meets the needs of all users.”
25. Page 4-32. Waterbody Classifications. The Environmental Impact Statement indicates that fourteen (14) streams designated as High Quality Waters of the Commonwealth and six (6) Exceptional Value Waters of the Commonwealth according to PA Code Title 25, Chapter 93 for Water Quality Standards would be crossed by the proposed pipeline. *Landscapes* Policy 2.1.3 states: “Preserve and enhance the existing network of stream valleys and their aquatic habitats.” The CCPC requests that Sparrows Point/Mid-Atlantic Express coordinate with the PADEP, the CCWRA, and the Pennsylvania Fish and Boat Commission (PAFBC), and the CCCD to comply with the water quality standards set forth by this regulation.
26. Page 4-33. Sensitive Water Bodies. The FERC should be aware that the EPA and PADEP have developed Total Maximum Daily Loads (TMDL) for the entire Brandywine Creek Watershed. As proposed, the project would result in impacts on waterbodies, including clearing and grading of stream banks, in-stream trenching, trench dewatering, and backfilling that could result in increased sedimentation and turbidity and decreased dissolved oxygen concentrations, which could impact water quality. These impacts, as proposed are inconsistent with the following Objectives of *Watersheds*:
3-2 states “Protect and enhance the natural instream resources of streams, including stable stream channel processes and geomorphology conditions, aquatic living resources, stream baseflows, and water quality.”

3-4 states "Protect and enhance streams supporting "sensitive resources" to recognize their vulnerability to low stream flows and water quality impairments."
 4-4 states "Reduce or eliminate movement of sediment from lands into streams to conserve the soil resources and reduce instream siltation and pollutants."

Additionally, the CCPC requests any supporting information on how Sparrows Point/Mid-Atlantic Express will remediate these issues if trees are to be cleared, habitat lost, water temperatures increased, nutrient pollutants discharged, and chemical contaminants discharged. With the continuous development and establishment of the Environmental Protection Agency's TMDL program that PA DEP implements and enforces, many of these "short term" impacts may affect municipalities for a much longer period of time and at a financial and staff expense to mitigate problems ultimately initiated by Sparrows Point/Mid-Atlantic Express.

27. Page 4-34. Sensitive Water Bodies. The CCPC requests any additional information regarding the crossing of the Octoraro and how this proposal will be consistent with the Chesapeake Bay Tributaries Strategies, as the goals and objectives of these strategies are to eliminate any increase in pollutant loading to the Chesapeake and its tributary streams.
28. Page 4-58. Surface Water Resources Impacts and Mitigation. The CCPC reiterates our concerns with impacts to waterbodies within the entire study area. As proposed the project would result in "short term impacts," including, but not limited to increased turbidity levels, downstream sedimentation, trench dewatering and construction on slopes, all of which are known to impact water quality. These impacts, as proposed are inconsistent with the following Objectives of *Watersheds*:

3-2 states "Protect and enhance the natural instream resources of streams, including stable stream channel processes and geomorphology conditions, aquatic living resources, stream baseflows, and water quality."

3-4 states "Protect and enhance streams supporting 'sensitive resources' to recognize their vulnerability to low stream flows and water quality impairments."

4-4 states "Reduce or eliminate movement of sediment from lands into streams to conserve the soil resources and reduce instream siltation and pollutants."

The CCPC also requests coordination with the CCWRA and CCCD to develop Erosion and Sedimentation plans as well as implementing Best Management Practices to minimize these negative impacts of the proposed project.

29. Page 4-62. Pipeline Hydrotesting. The Environmental Impact Statement appears to indicate that the water used for hydrotesting the proposed pipeline for mile posts 43.6-87.6, which includes all of Chester County Pennsylvania, would be "pumped into Test Section #2; no discharge to waterbody." Please include for clarity which watershed the water being pumped in is from, and which watershed it will be discharged to, as transporting water out of its native watershed is inconsistent with the goals, policies and objectives of both *Landscapes* and *Watersheds*.
30. Page 4-65. Wetlands. The text states that not all of the wetland sites identified by Sparrows Point/Mid-Atlantic AES have been surveyed due to access issues. Should the FERC issue a certificate for this project, the CCPC requests that Sparrows Point/Mid-Atlantic Express work cooperatively with the CCCD and CCWRA to field define wetland

- boundaries and to mitigate negative impacts on these resources.
31. Page 4-65 Wetlands The proposal to disturb wetlands in the county is inconsistent with the following Landscapes Policies:
 - 2.1.3 “Preserve and enhance the existing network of stream valleys and their aquatic habitats”;
 - 2.1.5 “Preserve wetlands for their ecological and hydrological functions”;
 - 2.1.11 “Preserve and manage habitats necessary for survival of existing rare, threatened and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County natural Areas Inventory.”
 32. Page 4-65. Wetlands. For clarity, the CCPC requests mapping to be included that depicts where affected wetlands and waterbody crossings occur, at a legible scale, and that all plans for crossings be coordinated with both the CCCD and the CCWRA for consistency with both County and State regulation and requirements.
 33. Page 4-67. Table 4.4.2-1 Wetlands Impacted by Construction and Operation of the Proposed Sparrows Point Pipeline Facility. Twenty wetlands will be impacted either through construction activities or permanently, according to the table. Landscapes Policy 2.1.5 states, “Preserve wetlands for their ecological and hydrological functions.” Sparrows Point/Mid-Atlantic Express should continue to coordinate with the US Army Corps of Engineers (USACE) and the PADEP to determine if these proposed crossings will require additional permitting.
 34. Page 4-73. Wetlands Construction and Maintenance Procedures. The CCPC requests that coordination for affected Chester County wetlands also include the CCWRA and the CCCD.
 35. Page 4-74. Vegetation Resources. The CCPC requests that vegetation removal be limited in areas outside of the existing ROW to the greatest extent possible and, that in areas where trees are removed outside of the ROW, they be re-established. As presented, the removal of mature stands of trees in the *Natural Features Overlay* is consistent with Landscapes Policies:
 - 1.4.3 “Encourage cooperation among conservation groups, municipalities, and the County to protect natural features”;
 - 2.1.11 “Preserve and manage habitats necessary for survival of existing rare, threatened and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County natural Areas Inventory”;
 - 2.1.12 “Promote soil conservation practices to reduce erosion and sedimentation”;
 - 2.1.17 “Protect existing woodlands and encourage reforestation”;
 - 6.1.8 “Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding and drainage problems.”
 36. Page 4-77. Plant Communities of Special Concern. The CCPC supports the FERC recommendation that the results of surveys for the listed species and agency consultations and clearances be submitted for the file.
 37. Page 4-80. Table 4.6.1-1 Terrestrial Wildlife Species Affected by the Proposed Project. For clarity, the CCPC requests that the list include mile posts as it currently appears that

all of these species occur through the entire pipeline corridor and, should any require PNDI clearance, the listing is too general.

38. Page 4-84. Wildlife Resources Impacts and Mitigation. The text states that approximately 84 percent of the proposed pipeline route “would parallel and partly or wholly overlap the permanent rights-of-way of the BG&E overhead transmission or Columbia pipeline corridors. The remaining pipeline route would utilize other existing right-of-way corridors such as roadways and railroads.” The CCPC requests clarification as to whether the FERC will require AES/ Mid-Atlantic to apply to the Pennsylvania Public Utility Commission (PA PUC) for approval of all road and rail crossings or alterations that will be required for the installation of the proposed pipeline construction, or whether FERC approval will deem approval for all crossings. Additionally, the CCPC requests the coordination and utilization of joint construction in the right-of-way to minimize impacts on time of construction, traffic and congestion, residents, wildlife and habitat, wherever possible, as the Williams/Transco project is proposing construction in some of the same areas within a similar time frame.
39. Page 4-85. Wildlife Resources Impacts and Mitigation. The CCPC requests that restoration of the areas outside of the permanent right-of-way be restored to the pre-construction conditions, or better, including the replacement of trees.
40. Page 4-85. Wildlife Resources Impacts and Mitigation. The CCPC requests that coordination and consultation with the PADEP and Pennsylvania Department of Conservation and Natural Resources (DCNR) also be included, as to minimize potential impacts to species of concern.
41. Page 4-112. Table 4.7-1 Federally Listed Endangered and Threatened Species. The table includes three species, in the proposed pipeline construction area of Chester County, that are listed as either endangered or threatened. The CCPC requests inclusion of all supporting documentation from agencies involved with clearance in the appendices, such as, PA DEP, PAFBC, US Fish and Wildlife, DCNR, and others, to indicate that all necessary clearances have been obtained, and if not, how the Sparrows Point/Mid-Atlantic Express project will proceed in areas where clearance has not yet been issued.
42. Page 4-114. Table 4.7-2 State Listed Endangered and Threatened Species. The table includes 11 species listed as State-Listed as endangered or threatened species in the proposed pipeline construction area. The CCPC requests inclusion of all supporting documentation from agencies involved with clearance in the appendices, such as, PA DEP, PAFBC, US Fish and Wildlife, PA Department of Conservation and Natural Resources, and others, to indicate that all necessary clearances have been obtained, and if not, how the Sparrows Point/Mid-Atlantic Express project will proceed in areas where clearance has not yet been issued.
43. Page 4-125. Bald Eagle. The CCPC requests coordination with the CCPRD for information on the location of Bald Eagles in Chester County, as their existence has been documented along portions of the Brandywine Creek, and in municipalities proposed to be affected by the construction of the pipeline.
44. Page 4-129. Bog Turtle. The CCPC agrees with the recommendations listed by the FERC concerning the implementation of a Management Plan.

45. Page 4-136. Pennsylvania-Listed Flora. The CCPC agrees with the recommendations listed by the FERC to minimize or eliminate negative impacts to both flora species as well as the serpentine barrens that are proposed to be crossed by the construction of the pipeline.
46. Page 4-137. Land Use. The CCPC requests clarification on whether the additional 25-foot of right-of way, totaling 75-feet that are listed as “required for construction” would become a permanent right-of-way upon completion of the proposed project, or whether it would revert back to the existing 50-foot right-of-way.
47. Page 4-138. Table 4.8.1-1. Acres of Land Affected by Construction and Operation of the Mid-Atlantic Express Pipeline Facilities. The table lists a total acreage of 584.7 acres in Chester County to be affected by construction, with 194.89 acres being permanently affected. The CCPC requests clarification on how the land use categories were defined - be it through local zoning ordinances, assessment information, land cover, land use, or other. Furthermore, the CCPC requests supporting information on whether this classification is consistent with both the land use information categories of the Chester County and the Delaware Valley Regional Planning Commission.
48. Page 4-139. Existing Rights-of-Way. The text states again, that approximately 74.3 miles of the proposed pipeline would be constructed “within or adjacent to various existing rights-of-way.” For clarity, please include any rights-of-way that are currently owned or operated by Sparrows Point/Mid-Atlantic Express, as well as those proposed to be created, and how the applicant will proceed if not granted the use of these corridors currently owned by other agencies.
49. Page 4-139. Land Use Impacts. The Environmental Impact Statement states that agricultural land would be the primary land use affected by construction of the pipeline facilities, totaling 862.91 acres. These impacts, while some for construction of the pipeline and others for the operations of the pipeline, total 398.81 acres in Chester County. The CCPC would like to reiterate that based on information of the Chester County Department of Open Space Preservation, approximately 22 farms, totaling 1,696 eased acres of preserved farmland would be affected by the proposal in Chester County. As presented, this proposal is inconsistent with Landscapes Policies:

2.1.12 “Promote soil conservation practices to reduce erosion and sedimentation”; and
2.1.13 “Preserve and properly manage large areas of prime agricultural soils to support a sustainable food supply.”
50. Page 4-139. Land Use Impacts. The Environmental Impact Statement states that forest land would be the second-most affected land use by construction of the pipeline facilities totaling 312.1 acres. While the CCPC understands that not all of the acreage is within Chester County, we would like to express concerns with the amount of tree removal proposed. The removal of such a large amount of trees will have a significant impact on runoff, sedimentation, and habitat, among others. We would encourage Sparrows Point/Mid-Atlantic Express to work closely with the CCCD and the PADEP to ensure that remediation of these impacts occur to the greatest extent possible to be generally consistent with Landscapes Policies:

2.1.17 states: "Protect existing woodlands and encourage reforestation;"
6.1.8 states: "Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding and drainage problems;"
2.1.12 Promote soil conservation practices to reduce erosion and sedimentation."

51. Page 4-140. Existing and Planned Residences and Developments. The CCPC requests a more detailed map be provided that shows involved ROW land, and the proposed pipeline corridor, including the date of the map being used. Because Chester County is one of the fastest growing counties in the Commonwealth, we cannot accurately assess the impacted developments and planned residential developments without a more detailed map.
52. Page 4-142. Existing Residences. While it is unclear how many of the 179 homes and 56 "other" buildings, anticipated to be located within 50-feet of the construction area, are located in Chester County, the CCPC requests coordination with the CCCD, CCHD, as well as the affected municipalities, to ensure that proposed site plans are in accordance with municipal planning, Chapter 102, and any additional restrictions or regulations that may affect public health and safety.
53. Page 4-142. Septic Systems. Previously, the Environmental Impact Statement states that the FERC is recommending that AES/Mid-Atlantic file site specific plans for those residences whose wells and septic systems fall within the proposed workspace. The Chester County Planning Commission (CCPC) would request any supporting documentation regarding the mitigation of impacts to these residences. Additionally, we request coordination with the PADEP and CCHD to create the requested "Septic System Contingency Plan." We also request any information regarding how the applicant will proceed, in the event that impacts or damage to septic systems occur on smaller lots where replacement areas are not viable.
54. Page 4-143. Other Existing Development. Due to the highly suburbanized portion of part of the proposed pipeline corridor, the CCPC requests any information on how the applicant plans to remediate should any public water or sewer lines become compromised during proposed construction. Furthermore, CCPC requests any coordination and agreement documentation with the affected municipalities as well as the service providers, such as the Downingtown Area Regional Authority, PA DEP, Pennsylvania American Water Company, Aqua Pennsylvania, CCHD, and others, as all may become involved in the event of damage to the line.
55. Page 4-147. Hazardous Waste Sites. Previously in the Draft EIS, the text states that the Strasburg Landfill, located in Newlin Township Chester County, would not be crossed by the pipeline. However, Table 4.8-4.1 lists that the project will be "crossed" at mile post 74.55. Please clarify the contradiction in these statements.
56. Page 4-152. Table 4.8.5-1. Recreation and Public Interest Areas Crossed or Within 0.25 Miles of the Proposed Pipeline Route. This table does not include the Struble Trail, which is owned and operated by Chester County. The included mapping appears to depict the proposed pipeline crossing the Brandywine Creek and Struble Trail near MP83 on Figure B-31, placing it within ¼ mile of the proposed pipeline. Furthermore, it may also be possible that Marsh Creek State Park is located within ¼ mile of the proposed pipeline. Without more accurate mapping, it is not clear how close the proposed right-of-

way will be to the boundary of the State Park. Additionally, the CCPC requests applicant coordination with CCPRD to ensure that no negative impacts to the Struble Trail or other County or State-owned property occur.

57. Page 4-152. Table 4.8.5-1. Recreation and Public Interest Areas Crossed or Within 0.25 Miles of the Proposed Pipeline Route. The CCPC requests coordination with CCPRD and the affected municipalities to ensure that impacts to municipal open space and cultural resources are minimized to the greatest extent possible or eliminated. The disturbance of protected open space is inconsistent with the following policies of *Landscapes*:
- 1.2.5 Develop a permanent open space system linking existing areas and adding new areas;
 - 1.4.1 Create an open space network of natural resources for the many environmental benefits it provides;
 - 1.4.2 Encourage municipal programs for natural resource preservation throughout Chester County;
 - 1.4.3 Encourage cooperation among conservation groups, municipalities and the County to protect natural features.
58. Page 4-154. Parks and Camps. The CCPC supports the recommendation of the FERC to require a draft plan that is developed through consultation and coordination with Uwchlan Township as well as the administrator of the park to minimize tree clearing, conflicts with park users, safety, restoration plans, and continuous use of the trail.
59. Page 4-154. Parks and Camps. The CCPC supports the recommendations of the FERC to require schedules and plans for crossing the Girl Scout Camps, to minimize impacts, and examine negative effects and impacts on facilities, roads, utilities and waterbody areas, at a minimum.
60. Page 4-159. Special Status Waterbodies. The CCPC requests that the CCWRA and CCCD be included in any discussions regarding the Octoraro Creek and the Brandywine Creek.
61. Page 4-159. As stated previously, Chester County is one of the fastest growing counties in the Commonwealth. For approximately 20 years, the citizens of Chester County have been funding an Open Space fund that is used to purchase open space easements, including agricultural preservation easements, municipal park and open space acquisition, conservancy partnership program, among others, to ensure a balance between suburbanized and rural landscapes. According to the Table on page 4-160, a total linear length of 59,730 feet of preserved land will be affected. This number, multiplied by the proposed 50-foot right-of-way, would total approximately 70 acres of permanently and negatively impacted preserved lands. The CCPC requests that the Chester County Department of Open Space and Agricultural Land Preservation, in addition to the affected land conservancies, in particular the Brandywine Conservancy, be given appropriate input and consultation to minimize or eliminate impacts on preserved open space.
62. Page 4-162. Boating and Fishing. The CCPC requests coordination with CCPRD and the PAFBC to properly plan for and accommodate not only fishers and boaters, but other

types of watercrafts, such as kayaks, that regularly utilize the Brandywine Creek.

63. According to information at the CCPC, Scenic Byways exist in Chester County that stand to be impacted by the proposed pipeline construction including the Brandywine Valley Scenic Byway and the Exton Bypass Scenic Byway. Additionally, there are many municipally designated scenic roads. The CCPC requests coordination with the affected municipalities to minimize any negative impacts, visually or otherwise, to these roadways.
64. Page 4-173. Public Services. The CCPC requests that the applicant work in coordination with both municipal emergency responders as well as the CCDES, as they may be more available to respond to future needs on the proposed site.
65. Page 4-177. Roadway and Highway Construction Impacts. According to the text, “the proposed pipeline route would cross many major and minor roadways.” The CCPC requests the applicant coordinate with municipalities as well as PennDOT to minimize impacts to both the roadways and the citizens of Chester County. This coordination would be consistent with *Landscapes* Policies:
 - 4.1.5. Protect existing investments in the road network with proper maintenance.
 - 4.1.4. Enhance the safety of the existing road network.
 - 4.1.1. Maintain the functional integrity of existing and future roadways through appropriate land use controls and design standards to alleviate congestion, promote safety, and reduce the need for new highways.
 - 4.1.2. Provide sufficient capacity on the existing road network in Urban and Suburban Landscapes.
66. Page 4-179. Railroads. Please clarify whether the FERC will require the applicant to apply to the Pennsylvania Public Utility Commission (PA PUC) for approval of all rail crossings or alterations that may be required for the installation of the proposed pipeline construction, or whether FERC approval will deem approval for all crossings.
67. Page 4-192. Above Ground Cultural Resources. The text states that “no survey of above ground resources has been conducted along the proposed pipeline route.” The CCPC requests that the applicant explore alternatives to avoid these sensitive historic and cultural sites, as well as the “terrestrial archaeological resources,” in coordination with the Pennsylvania Historical and Museum Commission, and that supporting documentation regarding any clearances and mitigation plans be included for clarity and reference in the final document.
68. Page 4-198. Air Quality. Landscapes Policy 2.1.16 states: “Ensure businesses comply with state and federal air quality emission standards.” The CCPC requests continued coordination with EPA and the PADEP to ensure that the proposed project meets or exceeds state and federal air quality standards.
69. Page 4-221. Construction Noise. The CCPC requests that the applicant create a schedule of construction hours that will be posted and adhered to, in order to minimize noise pollution and impacts on residents in the proposed construction area.
70. Page 4-259. Pipeline Safety Standards. The CCPC requests coordination with the CCHD, the CCDES, and the affected municipalities regarding public health and safety,

both during construction and for the long term.

71. Page 4-273. Cumulative Impacts on Vegetation. The text states that “the Project would significantly increase the temporary impacts to forested lands in Chester County Pennsylvania,” when combined with the impacts from the Williams/Transco proposed pipeline expansion. The proposed Williams/Transco pipeline expansion does not intend to revegetate tree species. The CCPC requests the inclusion of trees and scrub-shrub woody species that would provide habitat. In doing so, the revegetation would be consistent with *Landscapes* Policy 2.1.11: “Preserve and manage habitats necessary for survival of existing rare, threatened and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County Natural Areas Inventory.” Additionally, the CCPC requests that Sparrows Point/Mid-Atlantic Express consult and coordinate with the CCCD to obtain recommendations for seed mixtures to be used during ROW restoration. For our records, the CCPC requests all correspondence between Sparrows Point/Mid-Atlantic Express and the CCCD.
72. Page 5-19. FERC Staff’s Recommended Mitigation. The CCPC requests a copy of the detailed alignment maps/sheets and aerial photographs for our records.
73. Page 5-20. FERC Staff’s Recommended Mitigation. The CCPC requests a copy of any information that is sent to affected landowners, so that we may have it for our records.
74. Page 5-21. FERC Staff’s Recommended Mitigation. Should the FERC approve this proposal, the CCPC requests that the CCWRA, CCCD, and CCPRD be included in any stats reporting, as construction and restoration activities may require their involvement.
75. Page 5-22. FERC Staff’s Recommended Mitigation. Regarding Variation 9, 10, the Byers realignment, and Variation 12a, the CCPC requests copies of the engineering information and alignment sheets, etc., as it becomes available, to maintain a complete set of information for those affected property owners in Chester County, which may require additional review by our agencies.
76. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a site specific Project Blasting Plan with the Secretary and written approval of the Director of Office of Energy Projects (OEP).
77. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require AES to file an amended “Potentially-Contaminated Soils Management Plan” with the Secretary.
78. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require the filing of results of the evaluation of pipeline alignments relative to water wells, to be filed with the Secretary for review and written approval by the Director of OEP.
79. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file the final version of its Spill Prevention Control and Countermeasures Plan for pipeline construction with the Secretary for review and written approval by the Director of OEP.

80. Page 5-24. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require review and written approval by the Director of OEP regarding the hydrostatic test water source locations, volumes, discharge locations and discharge rates. The CCPC also requests that this be performed in conjunction with the CCWRA.
81. Page 5-26. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require consultation with appropriate agencies regarding seasonal construction restrictions to protect spawning fishes in sensitive water bodies, including the East Branch Brandywine Creek, West Branch Brandywine Creek, Buck Run, and Octoraro Creek.
82. Page 5-27. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a bog turtle management plan in consultation with the National Fish and Wildlife Service.
83. Page 5-27. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file with the Secretary the results of the state-endangered and threatened plant species surveys, as well as mitigation plans.
84. Page 5-27. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to commit to mitigation and restoration of landscaping, mature trees, and lawn areas of residences within 50 feet of the construction work area.
85. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file a site-specific plan, as described, including location of the residence, location of the proposed pipeline, edge of construction work area, edge of the new ROW, nearby residences, and evidence of landowner concurrence.
86. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a Septic System Contingency Plan, to be filed with the Secretary that would include mitigation plans, restoration/replacement plans, and account for all wastewater that the system would normally process.
87. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to work with the Chester Water Authority to develop and implement a site-specific plan for crossing the Chester Water Authority mains, and file this plan with the Secretary.
88. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to update Appendix F, in the event that new residences are built prior to Project construction, to be filed with the Secretary before construction and to have reviewed and written approval of the Director of the OEP prior to construction.
89. Page 5-29. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file its draft plan for crossing Dowlin Struble Forge Park, to be developed through continuous consultation

with Uwchlan Township and the administrator of the park, to be filed with the Secretary for review and written approval by the Director of OEP.

90. Page 5-29. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to submit construction schedules and plans, developed with the input of the Girl Scouts Council of Eastern PA and the Girl Scouts of Central Maryland, for crossing and minimizing impacts to the facilities at Camp Conowingo and Camp Tweedale.
91. Page 5-29. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a site-specific plan for the crossing of the Brandywine Trail, including a scaled plot plan showing the areas of ground disturbance and locations of tree clearing; locations of temporary fencing; means for keeping the trail open during the construction period; trail restoration; and a revegetation plan that includes active replanting, and will be developed in consultation with the Wilmington Trail Club to minimize construction conflict with the Brandywine Trail End-to-End hike, as listed in section 4.8.5.1. The CCPC also requests a similar requirement where the project appears to cross the Struble Trail between MP82 and MP83.
92. Page 5-30. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to develop in consultation with PA DCNR, the Octoraro Creek Watershed Association, and the Brandywine Conservancy, construction and mitigation plans for the Octoraro River and each of the crossings of the Brandywine Creek system, which will address minimalization of tree clearing within riparian zones, potential measures to reduce impacts to recreational access during construction, and effects on the viewshed along these Pastoral Rivers.
93. Page 5-30. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to develop and file with the Secretary for review and written approval by the Director of OEP site-specific plans for the crossing of the Gunpowder Crossing Scenic Byway. The CCPC also requests that similar requirements be obtained for designated Scenic Byways in Chester County, including, but not limited to, the Brandywine Valley Scenic Byway and the Exton Bypass Scenic Byway. Additionally, Chester County has many municipally designated scenic roads. The CCPC requests coordination with the affected municipalities to minimize any negative impacts, visually or otherwise, to these roadways.
94. Page 5-30. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to work with the appropriate authorities to develop site-specific traffic and safety plans where road closures or restrictions may be required, to be filed with the Secretary.
95. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until the results of the historic architecture field investigations along the proposed pipeline route and comments of the appropriate SHPA are filed with the Secretary, reviewed, and written approval obtained from the Director of the OEP.
96. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until all outstanding cultural resources surveys of the pipeline

corridor and ancillary use areas are completed.

97. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until all additional required cultural resources survey reports and any treatment plans are filed with the Secretary, and the Maryland and Pennsylvania SHPO's comment on all reports and plans for Doe Run and Kirk's Mills Historic Districts to identify any appropriate mitigative measures that would protect the Districts from pipeline installation and operation.
 98. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until the Director of OEP reviews and approves all cultural resource reports and plans, and notifies Mid-Atlantic Express in writing that they may proceed with treatment or construction.
- D. General Comments. The following comments are not related to specific pages of the Draft EIS, but that the CCPC feels are important:
1. The CCPC requests that Sparrows Point/Mid-Atlantic Express work cooperatively with all existing utility companies and authorities that exist in the planning and construction area.
 2. There are several surface water intakes within five miles downstream on the Brandywine Creek, including the Downingtown Municipal Water Authority, located south of the Route 30 bypass in the East Branch of the Brandywine Creek; Aqua Pennsylvania's intake located in the East Branch of the Brandywine Creek, at Ingram's Mill; and the City of Wilmington Delaware's intake, which is located near the confluence of the Brandywine Creek and the Christina River, near the state line. The CCPC requests coordination with the CCCD and the CCWRA and the Delaware River Basin Commission regarding these crossings, as the County would prefer not to disrupt stream flows where possible. Other methods for pipe placement, such as directional drilling, may minimize impacts to those downstream, as well as minimize impacts to the aquatic habitat of the stream itself.
 3. Karst topography exists throughout the suburbanized portion of the proposed pipeline area. Additionally, there are three sinkholes located within ¼ mile of the proposed Williams/Transco replacement, which may parallel the proposed AES/Mid-Atlantic corridor. Please include information regarding mitigation plans that will be enacted should a sinkhole be encountered during the proposed construction, as locating a pipeline in this type of geology could lead to future line instability.
 4. Drain tiles exist on farms throughout the County. The CCPC recommends that the applicant consult with the CCCD, township engineers and landowners to identify properties that may have drain tiles. Please include the location and, at a minimum, the segment of pipeline in which the drain tiles were located, in the final document.
 5. As a result of proposed construction, temporary impacts on groundwater resources may result from construction activities. The CCPC requests any supporting information and documentation on how Sparrows Point/Mid-Atlantic Express will proceed with construction activities while maintaining a safe and clean water supply for residents

living in this area who utilize wells. If Sparrows Point/Mid-Atlantic Express will be furnishing a temporary water supply, please include any agreement information for clarity.

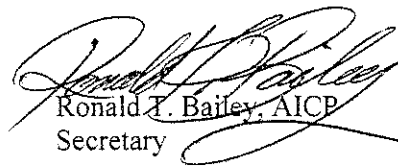
6. As previously discussed, the proposed Williams/Transco pipeline Downingtown Replacement project is scheduled to begin construction within the next year. As proposed, it will have many similar negative impacts to the County, including the crossing of the Brandywine Creek and the Struble Trail, that the Sparrows Point/Mid-Atlantic Express project presents. The CCPC requests the applicant to indicate how this project would impact the Williams/Transco project, and in turn, the County, as the proposed Williams/Transco revegetation process would most likely be in its early phases when the proposed Sparrows Point/Mid-Atlantic Express project would begin construction and may negatively impact plantings, trail repairs, streambank stabilization efforts, etc. The CCPC would request any supporting documentation and coordination information with Williams/Transco, for our files that discusses these matters.
7. The clearing of temporary work areas, such as pipeyards, will most likely result in changes to overland water flow and subsequently affect groundwater. Many of the suburbanized areas of the county experience numerous problems relating to stormwater runoff, sedimentation, and flooding, among others. Any impact to the overland flow of water holds the potential to be much greater than might be anticipated by Sparrows Point/Mid-Atlantic Express and the FERC. Compaction, clearing, and creating additional impervious coverage to the land in this part of the County, without proper mitigation, may result in inconsistency with *Landscapes* Policy 6.1.8: "Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding and drainage problems" and *Watersheds* Objective 5-1 "Achieve post-development hydrologic conditions that are consistent with the natural hydrologic characteristics of the receiving stream system and that sustain and enhance groundwater recharge, stream baseflows, stable stream channel processes, flood carrying capacity of the receiving streams and their floodplains, and water quality conditions necessary to meet state water quality standards, support habitat and protect public drinking water supplies."
8. The CCPC requests information on how Amish landowners were contacted regarding the review of the Draft EIS. At the public hearing, held June 11, 2008, it was suggested by both the audience and at least one member of the panel that information was not as readily available to all affected landowners as the FERC would have preferred, and that the Draft EIS was available both online and on disc, neither of which is an accessible format to the Amish.
9. The CCPC requests any mitigation planning documentation as to how Sparrows Point/AES/Mid-Atlantic will be responsible for future impacts in the proposed construction area. As stated previously, with the ongoing development and implementation of the Environmental Protection Agency's TMDL program which PA DEP enforces, many of the proposed "short term" impacts have the potential to affect municipalities for a much longer period of time and at both a financial and staff burden to mitigate problems that were ultimately initiated by the Sparrows Point/Mid-Atlantic Express project.
10. Deer overpopulation and management issues are prominent in Chester County. Once trees are removed, if deer are present, any planting efforts may never revert to pre-

existing conditions, as proposed by the Draft EIS. The CCPC requests any supporting information on how Sparrows Point/AES/Mid-Atlantic will monitor and maintain their revegetation and reforestation efforts.

11. The CCPC would request that the FERC and the applicant review and incorporate any relevant information from municipal Zoning Ordinances, Subdivision Land Development Ordinances, Act 537 Sewage Facilities Planning, Stormwater Management Ordinances, Rivers Conservation Plans, the County Comprehensive Plan, *Landscapes*, and the County Integrated Water Resources Plan, *Watersheds*, as well as others, into the final recommendations, decision-making, and document.
12. The CCPC, in coordination with the CCWRA, CCCD, and CCPRD, would request a work session with the FERC to discuss the process of how applications are reviewed, examined and approved or denied, to gain a better understanding of the entire process.

Thank you for the opportunity to comment on this project. If you have any questions, please contact the Director of the Chester County Planning Commission at 610-344-6285.

Sincerely,


 Ronald T. Bailey, AICP
 Secretary

RTB/CC/yg

cc: Chester County Commissioners Office
 Mark Rupsis, Chester County Commissioners Office
 Chester County Water Resources Authority (CCWRA)
 Chester County Conservation District (CCCD)
 Chester County Parks & Recreation Department (CCPRD)
 Chester County Health Department (CCHD)
 Chester County Department of Open Space Preservation (CCDOSP)
 Chester County Department of Emergency Services (CCDES)
 Pennsylvania Historical and Museum Commission
 Caln Township
 Downingtown Borough
 East Brandywine Township
 East Fallowfield Township
 Highland Township
 Londonderry Township
 Lower Oxford Township
 Newlin Township
 Upper Oxford Township
 Upper Uwchlan Township
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